

At the April 7 townhall meeting in Elk Grove, there was not enough time to answer all of the submitted questions. Please find below the remaining questions (copied verbatim) and the Congressman's answers.

1. "Has anyone seriously challenged the 'wisdom' of global warming/CO₂ since it really in dispute?"

It is somewhat ironic that in the June 24, 1974 issue of Time magazine [an article](#) appeared which featured a story about an impending ice age. This obviously did not materialize and within 25 years we were confronted with dire predictions relating to a global catastrophe associated with global warming. The discourse now appears to be shifting to the more generalized terminology of "climate change." It is my view that sound science rather than ideological bias should direct our consideration of this issue.

Furthermore, we must not look at any public policy question in isolation. At a time when the global economy is collapsing great care must be taken to ensure that any action taken with respect to climate change must not worsen poverty in the developing world. In fact, over the longer term, economic growth is necessary if nations are to make adaptations to the effects associated with climate change.

Accordingly, it is my view that any response to the prospect of changes in our climate should focus on the development of new technologies rather than actions which would undermine global economic growth. In this regard, I have introduced legislation—the NOPEC Act—which would provide a \$1 billion prize for the first American automobile company which manufactures a mid-sized sedan which gets 100 miles per gallon. This legislation would also provide funding for the development of zero emission clean energy technology.

Without waiting for proof or disproof of global warming, it is prudent for us to take action to minimize CO₂ emissions. Therefore I have supported reasonable steps to produce alternative sources of energy. Considering the serious nature of the claims with respect to global warming,

nuclear power may also be essential to address this problem.

2. "How is Congress prepared for the retirement of the baby boomers with respect to their impact on Social Security and Medicare?"

As you know, the fiscal challenges facing Social Security and Medicare are tremendous. Congress must take deliberative action to ensure that essential benefits are preserved without making costs prohibitive for current and future recipients. The most recent summary of the annual report prepared by the Social Security and Medicare Boards of Trustees found that:

Social Security's current annual surpluses of tax income over expenditures will soon begin to decline, and will be followed by deficits that begin to grow rapidly toward the end of the next decade as the baby-boom generation retires. The projected growing deficits...will exhaust... Social Security reserves in 2040, under current financing arrangements. We do not believe the currently projected long-run growth rates of Social Security or Medicare are sustainable under current financing arrangements.

Medicare's financial difficulties come sooner—and are much more severe—than those confronting Social Security. While both programs face demographic challenges, rapidly growing health care costs also affect Medicare. Underlying health care costs per enrollee are projected to rise faster than the wages per worker on which payroll taxes and Social Security benefits are based. As a result, while Medicare's annual costs were 3.2 percent of GDP in 2007, or nearly three quarters of Social Security's, they are projected to surpass Social Security expenditures in 2028 and reach 10.8 percent of GDP in 2082.

A copy of the summary of the 2008 Report on the Status of Social Security and Medicare Programs can be found [here](#) .

For these reasons I support the establishment of a commission to make recommendations on how best to preserve and protect Social Security and Medicare.

3. "Can a plan be developed to recapture lost retirement fund contributions?"

The best way for Congress to recapture lost funds due to the precipitous decline in the stock market in the autumn of 2008 is to create an environment where the economy can grow and the stock market can rebound. Congress can do this by recognizing the importance of small businesses for job creation, extending tax cuts for working families, and eliminating the capital gains tax for one year. Although the stock market has recovered somewhat in the last month, public policy must encourage a sustained recovery of the lost wealth which has devastated the savings and retirement plans of millions of Americans.

4. "I read that companies are already being established to act as 'brokers' for the purpose of Cap & Trade several years ago. Supposedly a major one was established in Chicago to broker this process. Are you aware of any such companies already being established?"

The Chicago Climate Futures Exchange (CCFE) of Chicago Climate Exchange, Inc. (CCX) is such a broker. According to CCX, it is:

...an Exchange whose objectives are to apply financial innovation and incentives to advance social, environmental and economic goals. CCX, which began trading in 2003, is the world's first and North America's only legally binding, rules-based greenhouse gas emissions allowance trading system, as well as the world's only global system for emissions trading based on all six greenhouse gases.

5. "What are my low income tenants going to do if a cap & trade system goes through? The estimates are an additional \$300/month! They can hardly pay rent, utilities & power now."

A so-called cap and trade system would establish a regulatory regime of hidden energy taxes which would be passed on to every American. Anyone who drives a car, turns on a light switch, or buys any product produced with energy will see their family budgets squeezed by the cap and trade proposal. Obviously, costs will also be passed on to renters.

At a time when our economy is in a serious recession and unemployment is currently 10.8 percent in the Sacramento region, this is not the time to be planning new schemes which will

burden future economic recovery. Cap and trade is a jobs killer. It will result in the loss of jobs to countries without such regulatory structures and have a devastating effect on the export of American made products. Our focus should be on growing the economy rather than growing government.

6. "How do we push back against the President's vision for America? Also, How do we get more answers, more creativity, and more engagement with you?"

Our Founding Fathers created a system of government that has many checks and balances. It is the responsibility of the legislative branch to balance the powers of the executive. As the President puts his plans before Congress, it is appropriate for Congress to scrutinize and debate his proposals with vigor. As a member of the Loyal Opposition within the House of Representatives, it is my responsibility to support the President where the national interest requires it. However, as a member of the Minority it is my belief that we must never abandon our principles, and feel that we best serve the nation by providing clear policy alternatives to those of the governing party. Therefore, it would be particularly helpful if you could let me know what you think about the major issues and proposals before Congress. You can do this by e-mailing me, calling my offices, or participating in townhalls, teletownhalls, and e-newsletter surveys.

7. "Russia and China have called for a single world currency, effectively doing away with the dollar. What are your thoughts on this and have you joined with Congressman Bachman in protecting the US Dollar?"

I do not support a global currency. Most recently, a Chinese central bank governor suggested the creation of a new international currency based upon Special Drawing Rights reflecting the contributions made by nations to the International Monetary Fund. This is similar to a proposal made by the late John Maynard Keynes. There are a number of problems with such a proposal, not the least of which is that it would have a tendency toward an inflationary bias.

Comments by a Russian official have also raised questions about the status of the dollar. This in my view represents an attempt to divert attention away from the current difficulties facing the Russian economy. According to the Financial Times, the Russian economy contracted by eight percent in the first two months of this year alone. This collapse is largely a product of the collapse in oil prices rather than anything to do with the status of the dollar.

It is my view that the dollar is likely to remain the international reserve currency for the foreseeable future. In order to ensure that this will remain the case however, it is essential for

Congress to reduce the projected growth in federal spending. After the United States economy recovers, both fiscal and monetary restraint will be necessary to protect the dollar and to ensure the continued status of the dollar. In this regard, I look forward to reviewing H.J. Res. 41 which calls for a prohibition on any Presidential agreement which would lead to the adoption as legal tender any currency not issued by the United States.

8. "Do you continue to support the death penalty in California, given the State could save \$100 million a year if it were abandoned? And despite you being a practicing Catholic?"

As both a Member of Congress and the former Attorney General of California, I have been involved with the issue of capital punishment in two distinct capacities. However, in both instances it has been my interaction with the victims which has profoundly affected my views on the issue of capital punishment.

My reasons for supporting capital punishment are as follows:

1. The availability of the ultimate punishment in murder cases is necessary for society to express the premium it places on innocent human life.
2. I do not accept the blanket argument that life without the possibility of parole negates the need for capital punishment. As the Charles Ray Allen case demonstrates permanent residence in a penal institution does not necessarily translate into the kind of incapacitation that we might hope for. Allen was already serving a life sentence for murder when he masterminded the additional murders of three innocent people. Although he was finally executed after 25 years behind bars, this cold blooded killer should not have been in the position to kill three additional human beings while serving a life sentence.
3. Capital punishment is used as a deterrent in two ways: the first being that execution of a murderer deters that individual with the certainty of 100 percent and the second being an interesting thought experiment proposed in the book by Dennis Prager, *Think a Second Time*. Prager supposes that if you murder someone Tuesday through Sunday you will be eligible for capital punishment. However, if you commit the same crime on Monday, you will not be eligible. Are we supposed to believe that this will have no affect on the calculations of anyone who intends to commit murder?
4. The question of innocence of anyone convicted of murder is a matter taken most seriously by me. However, when one hears statements about innocence we need to clarify between actual innocence and legal innocence. Actual innocence is when a person did not commit the crime, whereas legal innocence is when a person is not proven beyond reasonable doubt to have committed the crime. I would also suggest that while we must all be committed to the proposition that "no innocent person should suffer" we must also be equally committed to the notion that no guilty person should escape justice. As Cass Sunstein and Adriane Vermeule

suggest in the Stanford Law Review, we must concern ourselves with the prospect that “foregoing any given execution may be equivalent to condemning some unidentified people to a premature and violent death.”

5. Finally the question of racial disparities in the imposition of capital punishment. The argument is made using the Baldus study which indicated that the race of the murderer was the greatest determinant of when the death penalty would be imposed. However, looking at the same data, both the Department of Justice and the Rand Corporation found no disparity with respect to the race of the offender. At the same time, there was some evidence of disparity with respect to the race of the victim. In other words if the victim was white, there was a greater likelihood that the offender would receive the death penalty than if the victim were African-American. Although there were other variables affecting this outcome, such as whether the offender had previously known the victim, this was hardly an argument against the death penalty. In fact, it could just as easily be argued that capital punishment should have been used more often in minority victim cases.

9. "You often speak of your concerns with leaving debt to our grandchildren. Are you equally concerned about leaving a viable planet to our grandchildren? What would you do to mitigate the effects of climate change, other than the \$1 billion dollar giveaway to an American company that manufactures a car that will get 100 miles/ gallon? I feel that American companies don't need tax payer money as a motivation to develop such a vehicle."

First of all, please allow me to clarify that my proposal to provide a \$1 billion prize for the first American automobile company to produce a car that gets 100 miles per gallon is precisely the opposite of a "giveaway." To the contrary, competition is far more likely to achieve desirable societal objectives than a government program aimed at picking "winners." While occasionally effective, federal subsidies—either of the spending or tax incentive variations—precede the attainment of their stated purpose and all too often support activities which reflect political influence rather than the actual attainment of their stated objective. By contrast, a prize only imposes a governmental fiscal obligation if the objective for which it was created is achieved. Success is the condition precedent to the award.

It should also be pointed out that my NOPEC bill would provide tax incentives for clean energy production with zero greenhouse gas emissions, provide funding for the creation of lithium ion battery for automobiles, make the solar tax credit permanent, and provide incentives for refining alternative fuels. My proposal is based on the premise that we can reduce green house gases as well as our dependency on foreign oil.

10. "What happened Sept. 18, 2008??? 5 billion was taken out in 1 hour. Who. What entity did this?"

According to the Congressional Research Service (CRS):

On September 18, 2008, as financial stocks plunged, the SEC issued another, much more sweeping emergency order. All short selling (naked or not) of the shares of more than 700 financial firms was banned. The rationale was the same as for the earlier action [banning short sales of the stock of any of the 19 listed firms]: whatever benefits short selling might provide in terms of price efficiency were far outweighed by the possible damage to the financial system and the economy if major firms were swept away by panic. The emergency order expired October 8, 2008.

The specific events that precipitated this emergency action are certainly a proper subject for congressional oversight.

11. "To whom may I submit comments regarding 'area's of concern'?"

Please feel free to contact my office at any time. Find contact details [here](#) .